

EXHIBIT 4

**IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MARYLAND
(NORTHERN DIVISION)**

ORRSTOWN BANK

Plaintiff,

v.

ARES INVESTMENT GROUP, LLC, et al.

Defendants.

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Civil No. 1:12-cv-00345-RDB

AFFIDAVIT

1. My name is Terry W. Miller and I am a Senior Vice President for Orrstown Bank.
2. I am an adult and competent to be a witness. I make this Affidavit based upon my personal knowledge and my review of certain of Orrstown's records with respect to the loans and lines of credit at issue in this action (the "Loans").
3. The Promissory Notes attached to the Complaint as **Exhibits 1A-1L** are true, complete, and correct copies of the Promissory Notes executed by various Defendants in connection with this action.
4. The Guaranty Agreements, Commercial Guaranties, and Modification and Assumption Agreements attached to the Complaint as **Exhibits 2A-2L** are true, complete, and correct copies of the Guaranty Agreements, Commercial Guaranties, and Modification and Assumption Agreements executed by various Defendants in connection with this action.
5. The letters attached to the Complaint as **Exhibits 3A-3L** are true, complete, and correct copies of the demand and acceleration letters sent by Orrstown to Defendants in connection with this action.

6. Ash Azadi, Morris Azadi, and Simin Azadi are adults. Ash Azadi has a college education. Ash Azadi and Morris Azadi are current or former commercial airline pilots. All three are capable of understanding the loan documents attached to the Complaint, and voluntarily executed those loan documents. All are engaged in commercial real estate development ventures in Washington County, Maryland, and are not in the military service of the United States of America.

7. As of February 3, 2012, the following amounts are due under the Loans:

A) The amount due on loan number [REDACTED] 6001 is two million, eight hundred twenty-eight thousand, three hundred thirty-seven dollars and ninety-one cents (\$2,828,337.91), itemized as follows: (a) unpaid principal of \$2,739,887.44; (b) accrued and unpaid interest of \$70,323.75; (c) late charges of \$3,084.80; (d) appraisal fees of \$3,950.00; and (e) costs of suit and attorneys' fees \$11,091.92; and

B) The amount due on loan number [REDACTED] 0101 is two hundred fifteen thousand, one hundred twenty-five dollars and twenty-four cents (\$215,125.24), itemized as follows: (a) unpaid principal of \$200,000.00; (b) accrued and unpaid interest of \$3733.32; (c) late charges of \$300.00; and (d) costs of suit and attorneys' fees \$11,091.92; and

C) The amount due on loan number [REDACTED] 6002 is one hundred eighty-three thousand, eight hundred thirty-nine dollars and ninety-eight cents (\$183,839.98), itemized as follows: (a) unpaid principal of \$169,200.67; (b) accrued and unpaid interest of \$2,763.61; (c) late charges of \$783.78; and (d) costs of suit and attorneys' fees \$11,091.92; and

D) The amount due on loan number [REDACTED] 9001 is one million, seven hundred fifty-nine thousand, two hundred thirty-one dollars and fifty-one cents (\$1,759,231.51), itemized as follows: (a) unpaid principal of \$1,684,271.34; (b) accrued and unpaid interest of

\$57,770.49; (c) late charges of \$3,797.76; (d) appraisal fees of \$2,300.00; and (e) attorneys' fees \$11,091.92; and

E) The amount due on loan number [REDACTED] 9002 is one million, four hundred thousand, four hundred seventy-one dollars and sixty-five cents (\$1,400,471.65), itemized as follows: (a) unpaid principal of \$1,338,425.74; (b) accrued and unpaid interest of \$41,223.53; (c) late charges of \$2,930.46; (d) appraisal fees of \$6,800.00; and (e) costs of suit and attorneys' fees \$11,091.92; and

F) The amount due on loan number [REDACTED] 9004 is one million, two hundred twenty-six thousand, six hundred ninety-nine dollars and sixty-three cents (\$1,226,699.63), itemized as follows: (a) unpaid principal of \$1,190,028.65; (b) accrued and unpaid interest of \$19,437.16; (c) late charges of \$1,641.90; (d) appraisal fees of \$4,500.00; and (e) costs of suit and attorneys' fees \$11,091.92; and

G) The amount due on loan number [REDACTED] 0101 is five hundred twenty-two thousand, seven hundred fifty-seven dollars and ninety cents (\$522,757.90), itemized as follows: (a) unpaid principal of \$499,671.07; (b) accrued and unpaid interest of \$11,436.92; (c) late charges of \$557.99; and (d) costs of suit and attorneys' fees \$11,091.92; and

H) The amount due on loan number [REDACTED] 9005 is two million, seven hundred fifty-seven thousand, twenty-seven dollars and eleven cents (\$2,757,027.11), itemized as follows: (a) unpaid principal of \$2,689,648.10; (b) accrued and unpaid interest of \$43,930.89; (c) late charges of \$5,156.20; (d) appraisal fees of \$7,200.00; and (e) costs of suit and attorneys' fees \$11,091.92; and

I) The amount due on loan number [REDACTED] 9007 is seven hundred ninety-three thousand, five hundred nine dollars and sixty-three cents (\$793,509.63), itemized as

follows: (a) unpaid principal of \$761,985.00; (b) accrued and unpaid interest of \$19,557.58; (c) late charges of \$875.13; and (d) costs of suit and attorneys' fees \$11,091.92; and

J) The amount due on loan number [REDACTED] 0101 is eight hundred ninety-five thousand, nine hundred ninety-eight dollars and forty-one cents (\$895,998.41), itemized as follows: (a) unpaid principal of \$859,902.75; (b) accrued and unpaid interest of \$24,058.59; (c) late charges of \$945.15; and (d) costs of suit and attorneys' fees \$11,091.92; and

K) The amount due on loan number [REDACTED] 9001 is two million, six hundred thirty-six thousand, two hundred ninety-four dollars and seventy-six cents (\$2,636,294.76), itemized as follows: (a) unpaid principal of \$2,556,680.00; (b) accrued and unpaid interest of \$65,621.42; (c) late charges of \$2,901.42; and (d) costs of suit and attorneys' fees \$11,091.92; and

L) The amount due on loan number [REDACTED] 9002 is one million, one hundred sixty thousand, six hundred sixty dollars and seventy-one cents (\$1,160,660.71), itemized as follows: (a) unpaid principal of \$1,120,000.00; (b) accrued and unpaid interest of \$28,309.37; (c) late charges of \$1,259.42; and (d) costs of suit and attorneys' fees \$11,091.92.

8. Interest continues to accrue on the Loans at the rates set forth in ¶ 16 of the Complaint; attorneys' fees also continue to accrue.

9. The cost of suit (filing fee) and attorneys' fees for each Loan was calculated by apportioning the total amount equally among the Loans.

10. The last known addresses for Defendants are as follows:

ARES INVESTMENT GROUP, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

ARISTAEUS, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

ARISTODEMOS CAPITAL GROUP, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

ARISTON REAL ESTATE GROUP, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

ASH AZADI
9755 Redamar Drive
Hagerstown, Maryland 21740

MORRIS AZADI
9755 Redamar Drive
Hagerstown, Maryland 21740

SIMIN AZADI
9755 Redamar Drive
Hagerstown, Maryland 21740

CATANIA USA, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21742

HAVE A BOWL, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

NORTHWIND TOWNHOMES, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

POLAR, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21742

UGO, LLC
12805 Oak Hill Avenue
Hagerstown, Maryland 21740

I solemnly affirm under the penalties of perjury and upon personal knowledge that the contents of the foregoing paper are true.

Kelly E. Cromack
Witness

Terry Miller
Terry Miller

Date: MARCH 12, 2012

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